

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

CLIFFORD CHARLES FOWLER,)	
Register No. 166478,)	
)	
Plaintiff,)	
)	
v.)	No. 07-4197-CV-C-SOW
)	
LARRY CRAWFORD, et al.,)	
)	
Defendants.)	

ORDER

On March 18, 2008, United States Magistrate Judge William A. Knox recommended that defendants' motion to dismiss be granted, in part, and denied, in part. Judge Knox further recommended that plaintiff's motion to voluntarily dismiss, without prejudice, his due process claims in Count I of the Amended Complaint be granted. The parties were advised they could file written exceptions to the recommendation, pursuant to 28 U.S.C. § 636(b)(1)(C). No exceptions have been filed.

A review of the record convinces the court that the recommendation of the Magistrate Judge is correct and should be adopted.

IT IS, THEREFORE, ORDERED that the Report and Recommendation of March 18, 2008, is adopted. [20] It is further

ORDERED that defendants' motion of February 7, 2008, to dismiss is (1) denied as moot on the issue of exhaustion of administrative remedies; (2) denied as moot on plaintiff's due process claims; (3) granted on plaintiff's damage claims against defendants in their official capacities; (4) denied on the basis of respondeat superior; (5) denied on the basis of redundancy; and (6) denied on plaintiff's retaliation claim. [10] It is further

ORDERED that plaintiff's motion to voluntarily dismiss, without prejudice, his due process claims in Count I of the Amended Complaint is granted. [18]

/s/Scott O. Wright

SCOTT O. WRIGHT

Senior United States District Judge

Dated: April 14, 2008